

MONTANA LEGISLATIVE HISTORY

Chapter 30 192001

Bill H 55 S _____ Original bill & history 1 c

H. Committee on Bus. Code

Hearing Date(s) 1/10 1 c

1/12 1 c

_____ c

_____ c

Date Out _____ c

S. Committee on Bus. Code

Hearing Date(s) 2/1 1 c

2/6 1 c

_____ c

_____ c

Did this bill originate in an interim committee? _____ Yes 1 No

Committee _____

Report _____

(2) Debt limits established under [this act] do not apply to bonds authorized before July 1, 2001, regardless of when the bonds are issued.

Approved March 2, 2001

CHAPTER NO. 30

[HB 155]

AN ACT REVISING LAWS GOVERNING THE FINANCING OF AND PAYMENT FOR REAL PROPERTY PURCHASES; INCREASING THE TIME FOR GIVING A CERTIFICATE OF DISCHARGE FROM A MORTGAGE; INCREASING THE PENALTY FOR REFUSAL OR FAILURE TO GIVE THE CERTIFICATE ON TIME; INCREASING FROM 30 TO 40 ACRES THE MAXIMUM SIZE OF ACREAGE COVERED BY THE SMALL TRACT FINANCING ACT OF MONTANA; AMENDING SECTIONS 71-1-212, 71-1-302, 71-1-303, AND 71-1-304, MCA; AND REPEALING SECTION 70-32-221, MCA.

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 71-1-212, MCA, is amended to read:

"71-1-212. Penalties for failure to give certificate of discharge or release after full performance. ~~Any mortgagee or his personal representative or assignee, as the case may be, after~~ After the full performance of the conditions of the a mortgage, ~~and whether before or after a breach thereof of the mortgage, a mortgagee or the personal representative or assignee of the mortgagee who shall for the space of 30 days after being requested refuse or neglect~~ *refuses or neglects* to execute, acknowledge, and deliver to the mortgagor a certificate of discharge or release ~~thereof shall be of the mortgage within 90 days after a request for one is~~ *liable to the mortgagor, his or the mortgagor's heirs, or assigns in the sum of \$100 \$500 and also for all actual damages occasioned by such resulting from the neglect or refusal."*

Section 2. Section 71-1-302, MCA, is amended to read:

"71-1-302. Policy. Because the financing of homes and business expansion is essential to the development of the state of Montana and because financing of homes and business expansion, usually involving areas of real estate of not more than ~~30~~ 40 acres, has been restricted by the laws relating to mortgages of real property and because more financing of homes and business expansion is available if the parties can use security instruments and procedures not subject to all the provisions of the mortgage laws, it is ~~hereby declared to be~~ the public policy of the state of Montana to permit the use of trust indentures for estates in real property of not more than ~~30~~ 40 acres as provided in this part."

Section 3. Section 71-1-303, MCA, is amended to read:

"71-1-303. Definitions. As used in this part, unless the context requires otherwise, the following definitions apply:

(1) "Beneficiary" means the person named or otherwise designated in a trust indenture as the person for whose benefit a trust indenture is given or ~~his the~~ *person's* successor in interest, ~~and who shall may not be the trustee.~~

(2) "Grantor" means the person conveying real property by a trust indenture as security for the performance of an obligation.

(3) ~~"Thirty acres" means 30 acres of land.~~

(4) "Trust indenture" means an indenture executed in conformity with this part and conveying real property to a trustee in trust to secure the performance of an obligation of the grantor or other person named in the indenture to a beneficiary.

~~(5)~~(4) "Trustee" means a person to whom the legal title to real property is conveyed by a trust indenture or ~~his~~ *the person's* successor in interest."

Section 4. Section 71-1-304, MCA, is amended to read:

"71-1-304. Trust indentures authorized — power of sale for breach in trustee. (1) ~~Transfers~~ A transfer in trust of ~~any~~ *an* interest in real property of an area not exceeding ~~30~~ 40 acres may be made to secure the performance of an obligation of a grantor or any other person named in the indenture to a beneficiary ~~provided that it is unlawful to substitute. However,~~ a trust indenture ~~may not be substituted for any a mortgage that was in existence on March 5, 1963.~~

(2) ~~Where any~~ When a transfer in trust of ~~any~~ *an* interest in real property is made to secure the performance of the obligation referred to in subsection (1), a power of sale is conferred upon the trustee to be exercised after a breach of the obligation for which the transfer is security.

(3) A trust indenture executed in conformity with this part may be foreclosed by advertisement and sale in the manner provided in this part or, at the option of the beneficiary, by judicial procedure as provided by law for the foreclosure of mortgages on real property. The power of sale may be exercised by the trustee without express provision in the trust indenture.

(4) ~~Where the~~ If a trust indenture states that the real property involved does not exceed ~~30~~ 40 acres, the statement is binding upon all parties and conclusive as to compliance with the provisions of this part relative to the power to make a transfer, trust, and power of sale."

Section 5. Repealer. Section 70-32-221, MCA, is repealed.

Approved March 2, 2001

CHAPTER NO. 31

[HB 113]

AN ACT REVISING THE GRAZING DISTRICT LAWS TO REMOVE THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FROM STATE DISTRICT LAWS EXCEPT FOR ADMINISTRATIVE ATTACHMENT PURPOSES; CHANGING THE REQUIREMENT FOR WRITTEN NOTICE TO THE COMMISSION MEMBERS, WITH REGARD TO MEETINGS, FROM 14 DAYS TO 7 DAYS; CONFORMING USES TO DEFINED TERMS; AMENDING SECTIONS 76-16-102, 76-16-103, 76-16-104, 76-16-106, 76-16-107, 76-16-108, 76-16-109, 76-16-111, 76-16-112, 76-16-113, 76-16-201, 76-16-202, 76-16-203, 76-16-206, 76-16-208, 76-16-209, 76-16-211, 76-16-212, 76-16-213, 76-16-301, 76-16-302, 76-16-303, 76-16-307, 76-16-309, 76-16-310, 76-16-316, 76-16-317, 76-16-318, 76-16-320, 76-16-323, 76-16-325, 76-16-401, 76-16-402, 76-16-403.

HOUSE BILLS AND RESOLUTIONS

363

3/02	2nd Reading Concurred as Amended on Voice Vote	49	0
3/03	3rd Reading Concurred	43	0
	Returned to House with Amendments		
3/07	2nd Reading Senate Amendments Not Concurred	97	2
3/07	Free Conference Committee Appointed		
3/08	Free Conference Committee Appointed		
4/06	Free Conference Committee Report Received		
4/06	Free Conference Committee Report Received		
4/07	2nd Reading Free Conference Committee Report Adopted	38	2
4/09	3rd Reading Free Conference Committee Report Adopted	47	0
4/17	2nd Reading Free Conference Committee Report Adopted	97	3
4/18	3rd Reading Free Conference Committee Report Adopted	99	0
4/18	Sent to Enrolling		
4/19	Returned from Enrolling		
4/19	Signed by Speaker		
4/21	Signed by President		
4/23	Transmitted to Governor		
5/01	Signed by Governor		
5/01	Chapter Number Assigned		
	Chapter Number 494		
	Effective Date: 10/01/2001 - All Sections		

HB 155 Introduced by Noennig

LC0660 Drafter: MacMaster

Revise Laws on Financing of and Payment for Real Property Purchases

12/26	Introduced		
12/28	Referred to Business and Labor		
1/10	Hearing		
1/12	Committee Executive Action--Bill Passed as Amended	12	7
1/12	Committee Report--Bill Passed as Amended		
1/16	2nd Reading Passed as Amended	67	29
1/18	3rd Reading Passed	82	18
	Transmitted to Senate		
1/19	Referred to Business and Labor		
2/01	Hearing		
2/06	Committee Executive Action--Bill Concurred	9	0
2/06	Committee Report--Bill Concurred		
2/12	2nd Reading Concurred on Voice Vote	50	0
2/13	3rd Reading Concurred	50	0
	Returned to House		
2/15	Sent to Enrolling		
2/16	Returned from Enrolling		
2/16	Signed by Speaker		
2/20	Signed by President		
2/20	Transmitted to Governor		
3/02	Signed by Governor		
3/02	Chapter Number Assigned		
	Chapter Number 30		
	Effective Date: 10/01/2001 - All Sections		

HB 156 Introduced by Matthews

LC0693 Drafter: Lane

Revise Motor Vehicle Dealer Laws - Prohibit Curbstoning

By Request of Attorney General

12/26	Introduced
12/28	Referred to Judiciary



AN ACT REVISING LAWS GOVERNING THE FINANCING OF AND PAYMENT FOR REAL PROPERTY PURCHASES; INCREASING THE TIME FOR GIVING A CERTIFICATE OF DISCHARGE FROM A MORTGAGE; INCREASING THE PENALTY FOR REFUSAL OR FAILURE TO GIVE THE CERTIFICATE ON TIME; INCREASING FROM 30 TO 40 ACRES THE MAXIMUM SIZE OF ACREAGE COVERED BY THE SMALL TRACT FINANCING ACT OF MONTANA; AMENDING SECTIONS 71-1-212, 71-1-302, 71-1-303, AND 71-1-304, MCA; AND REPEALING SECTION 70-32-221, MCA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 71-1-212, MCA, is amended to read:

"71-1-212. Penalties for failure to give certificate of discharge or release after full performance.

~~Any mortgagee or his personal representative or assignee, as the case may be, after~~ After the full performance of the conditions of ~~the a~~ mortgage, and whether before or after a breach ~~thereof~~ of the mortgage, a mortgagee or the personal representative or assignee of the mortgagee who ~~shall for the space of 30 days after being requested refuse or neglect~~ refuses or neglects to execute, acknowledge, and deliver to the mortgagor a certificate of discharge or release ~~thereof shall be of the mortgage within 90 days after a request for one is~~ liable to the mortgagor, his or the mortgagor's heirs, or assigns in the sum of ~~\$100~~ \$500 and ~~also for all actual damages occasioned by such~~ resulting from the neglect or refusal."

Section 2. Section 71-1-302, MCA, is amended to read:

"71-1-302. Policy. Because the financing of homes and business expansion is essential to the development of the state of Montana and because financing of homes and business expansion, usually involving areas of real estate of not more than ~~30~~ 40 acres, has been restricted by the laws relating to mortgages of real property and because more financing of homes and business expansion is available if the parties can use security instruments and procedures not subject to all the provisions of the mortgage

laws, it is ~~hereby declared to be~~ the public policy of the state of Montana to permit the use of trust indentures for estates in real property of not more than ~~30~~ 40 acres as provided in this part."

Section 3. Section 71-1-303, MCA, is amended to read:

"71-1-303. Definitions. As used in this part, unless the context requires otherwise, the following definitions apply:

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(2) "Grantor" means the person conveying real property by a trust indenture as security for the performance of an obligation.

(3) ~~"Thirty acres" means 30 acres of land.~~

~~——~~ (4) "Trust indenture" means an indenture executed in conformity with this part and conveying real property to a trustee in trust to secure the performance of an obligation of the grantor or other person named in the indenture to a beneficiary.

~~(5)~~(4) "Trustee" means a person to whom the legal title to real property is conveyed by a trust indenture or ~~his~~ the person's successor in interest."

Section 4. Section 71-1-304, MCA, is amended to read:

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(2) ~~Where any~~ When a transfer in trust of ~~any an~~ an interest in real property is made to secure the performance of the obligation referred to in subsection (1), a power of sale is conferred upon the trustee to be exercised after a breach of the obligation for which the transfer is security.

(3) A trust indenture executed in conformity with this part may be foreclosed by advertisement and sale in the manner provided in this part or, at the option of the beneficiary, by judicial procedure as

provided by law for the foreclosure of mortgages on real property. The power of sale may be exercised by the trustee without express provision in the trust indenture.

(4) ~~Where the~~ If a trust indenture states that the real property involved does not exceed ~~30~~ 40 acres, the statement is binding upon all parties and conclusive as to compliance with the provisions of this part relative to the power to make a transfer, trust, and power of sale."

Section 5. Repealer. Section 70-32-221, MCA, is repealed.

- END -

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN JOE MCKENNEY**, on January 10, 2001 at 8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Joe McKenney, Chairman (R)
Rep. Rod Bitney, Vice Chairman (R)
Rep. Gary Matthews, Vice Chairman (D)
Rep. Sylvia Bookout-Reinicke (R)
Rep. Roy Brown (R)
Rep. Nancy Fritz (D)
Rep. Dave Gallik (D)
Rep. Kathleen Galvin-Halcro (D)
Rep. Dennis Himmelberger (R)
Rep. Carol C. Juneau (D)
Rep. Jim Keane (D)
Rep. Rick Laible (R)
Rep. Bob Lawson (R)
Rep. John Musgrove (D)
Rep. William Price (R)
Rep. Allen Rome (R)
Rep. Donald Steinbeisser (R)
Rep. Brett Tramelli (D)
Rep. James Whitaker (R)

Members Excused: None.

Members Absent: None.

Staff Present: Gordon Higgins, Legislative Branch
Jane Nofsinger, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB98, HB141, HB155, HB51,
1/10/2001
Executive Action: HB84, HB141

REP. GALLIK asked Ms. Garrett what would happen if there were a lot of claims all at once even if there had not been many. Ms. Garrett replied the chiropractors are assessed according to the need and the director had the authority to raise the assessment of fees as necessary.

REP. HIMMELBERGER asked REP. LEWIS if there had been input from the chiropractors and he said Ms. Garrett represented them.

Opponents: None

Closing by Sponsor:

REP. LEWIS urged the committee to pass the bill and said he would check to see if an amendment was needed.

{Tape : 1; Side : B; Approx. Time Counter : 18}

HEARING ON HB 155

Sponsor: REP. MARK NOENNIG,, HD9, Billings

Proponents: Warren Sobel, Montana Land Title Assn.
Bill Gowen, Helena Abstract and Title Co.
Page Dringman, Montana Assn. Of Realtors
Bill Leary, Montana Bankers Assn.

Opening by Sponsor:

REP. MARK NOENNIG, HD9, Billings said the bill was requested by the Montana Land Title Assn. He said the procedure when purchasing a residence was to sign a trust indenture which then becomes a lien against the property. When the lien is paid off the title company has the duty to release the title within 90 days. Paper backlogs can create for up to six months. This bill increases the late penalty from \$100 to \$500 to give more incentive to get the job done quickly. The bill would also increase acreage division size from 30 to 40 which is a more logical division of 1/4 of 1/4 section. Unless this division size is increased the type of instrument used would have to be a mortgage not a trust indenture. The bill also repeals the code section wherein the homeowner acknowledges they are giving up their homestead right through an additional document they sign. He said there was no practical effect of this document and it created extra paperwork.

{Tape : 2; Side : A; Approx. Time Counter : 0}

Proponents Testimony:

Warren Sobel said the acreage division was being changed to 40 acres because purchasers with more than 30 acres were being required to get a survey in order to get a loan and this added cost to the purchase. He said the additional legal description was for mortgage purposes only.

{Tape : 2; Side : A; Approx. Time Counter : 3.4}

Mr. Sobel said Section 5 was a repealer section and it did not protect the purchaser against foreclosure on a lien. The statute to be repealed said that the purchaser knew he or she would not be protected and they were just acknowledging what the law was. He said it does not take away the homesteader exemption, but merely acknowledges it.

{Tape : 2; Side : A; Approx. Time Counter : 7.3}

Bill Gowen said the increase of the fine from \$100 to \$500 will give more incentive to getting releases of titles from national lenders and secondary markets.

{Tape : 2; Side : A; Approx. Time Counter : 12}

Page Dringman asked the committee to support the bill.

Bill Leary asked the committee to support the bill.

Questions from the Committee and Their Responses:

REP. GALLIK asked **REP. NOENNIG** if Section 5 was repealed where would the acknowledgment be. **REP. NOENNIG** stated waiver was typically in the conveyance instrument.

{Tape : 2; Side : A; Approx. Time Counter : 21.4}

Closing by Sponsor:

REP. NOENNIG said the purpose of the amendment was to facilitate lending, it was not prejudicial and was a good bill.

{Tape : 2; Side : A; Approx. Time Counter : 23.6}

EXECUTIVE ACTION ON HB71

REP. GALLIK moved HB71 DO PASS AS AMENDED. Motion carried unanimously. 19-0.

{Tape : 2; Side : B; Approx. Time Counter : 0}

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN JOE MCKENNEY**, on January 12, 2001 at 8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Joe McKenney, Chairman (R)
Rep. Rod Bitney, Vice Chairman (R)
Rep. Gary Matthews, Vice Chairman (D)
Rep. Sylvia Bookout-Reinicke (R)
Rep. Roy Brown (R)
Rep. Nancy Fritz (D)
Rep. Dave Gallik (D)
Rep. Kathleen Galvin-Halcro (D)
Rep. Dennis Himmelberger (R)
Rep. Jim Keane (D)
Rep. Rick Laible (R)
Rep. Bob Lawson (R)
Rep. John Musgrove (D)
Rep. William Price (R)
Rep. Allen Rome (R)
Rep. Donald Steinbeisser (R)
Rep. Brett Tramelli (D)
Rep. James Whitaker (R)

Members Excused: Rep. Carol C. Juneau (D)

Members Absent: None.

Staff Present: Gordon Higgins, Legislative Branch
Jane Nofsinger, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB154, HB172, HB138, HB177,
HB198, 1/12/2001
Executive Action: HB155, HB150, HB154, HB172,
HB138

EXECUTIVE ACTION ON HB138

Motion/Vote: REP. MATTHEWS moved HB138 DO PASS as amended. Motion carried unanimously.

EXECUTIVE ACTION ON HB155

Motion/Vote: REP. GALLIK moved that Amendment HB015501.agh DO PASS. Motion carried 12-7 with Bitney, Brown, Lawson, McKenney, Price, Steinbeisser, and Whitaker voting no.

Motion/Vote: REP. LAWSON moved HB155. Motion carried unanimously.

EXECUTIVE ACTION ON HB150

Motion/Vote: REP. MATTHEWS moved that HB015001.agh DO PASS. Motion failed 9-10 with Bitney, Brown, Himmelberger, Laible, Lawson, McKenney, Price, Rome, Steinbeisser, and Whitaker voting NO.

Motion/Vote: REP. BITNEY moved that HB150 DO PASS. Motion carried 11-8 with Fritz, Gallik, Galvin-Halcro, Juneau, Keane, Matthews, Musgrove, and Tramelli voting no.

EXECUTIVE ACTION ON HB154

REP. BROWN moved DO PASS AS AMENDED HB174. Motion Carried Unanimously. 19-0.

MINUTES

MONTANA SENATE 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN MIKE TAYLOR**, on February 1, 2001 at 8:00 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Mike Taylor, Chairman (R)
Sen. Mike Sprague, Vice Chairman (R)
Sen. Edward Butcher (R)
Sen. Vicki Cocchiarella (D)
Sen. Sam Kitzenberg (R)
Sen. Dale Mahlum (R)
Sen. Glenn Roush (D)
Sen. Don Ryan (D)

Members Excused: Sen. Dale Berry (R)

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Kyanne Kelly, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 71, 1/29/2001; SB 277,
1/29/2001; HB 155, 1/29/2001
Executive Action: SB 253; HB 51; HB 19; SB 121;
SB 219

Closing by Sponsor:

SENATOR DEBBIE SHEA, SD 18, BUTTE/SILVERBOW, said this is simply a matter of assuring potential home buyers that their plumbing has met the minimum requirement of the plumbing code.

EXHIBIT (bus26a05)

HEARING ON HB 155

Sponsor: REPRESENTATIVE MARK NOENNIG, HD 9, BILLINGS

Proponents: Loren Solberg, Montana Land & Title Association
Bill Gowen, Helena Abstract & Title Company
Page Dringman, Montana Association of Realtors

Opponents: None

Opening Statement by Sponsor:

{Tape : 1; Side : B; Approx. Time Counter : 22.1}

REPRESENTATIVE MARK NOENNIG, HD 9, BILLINGS said this bill would remove the requirement of signing of a document waiving the homestead exemption when buying a home. He said this document doesn't do any good or inform people of any rights they don't already have.

Proponents' Testimony:

Loren Solberg, Montana Land & Title Association, said the homestead exemption does not apply to a mortgage loan and when a homeowner is asked to sign a document to the effect that they are waiving their right to the homestead exemption it creates confusion and does more damage than good. He said this required document is redundant.

Bill Gowen, Helena Abstract & Title Company, said this bill would extend the amount of time for out of state people to get the document to the trustee from 30 days to 90 days.

Page Dringman, Montana Association of Realtors, said she supports the bill.

Opponents' Testimony: None

Questions from Committee Members and Responses:

SENATOR DON RYAN asked why there was a provision that parcels did not have to be surveyed if they were 40 acres or less.

REPRESENTATIVE NOENNING said he did not know.

Closing by Sponsor:

{Tape : 2; Side : A; Approx. Time Counter : 18.7}

REPRESENTATIVE MARK NOENNIG, HD 9, BILLINGS said this has no effect on homestead rights. He further clarified that the homestead exemption is not valid in a loan/purchase agreement anyway.

EXECUTIVE ACTION ON SB 253

Motion: SEN. COCCHIARELLA moved that AMENDMENTS TO SB 253 BE ADOPTED.

Discussion: Senator Cocchiarella stated that there is no time limit on these rental agreements. It can be for a week or a month or whatever the person wants it to be. Whenever they are done with it they just say, "come and get your property", and the agreement is then over.

Vote: Motion carried unanimously.

Motion/Vote: SEN. COCCHIARELLA moved that SB 253 DO PASS AS AMENDED. Motion carried unanimously.

EXECUTIVE ACTION ON HB 51

Motion/Vote: SEN. COCCHIARELLA moved that HB 51 BE CONCURRED IN. Motion carried unanimously.

EXECUTIVE ACTION ON HB 19

Motion: SEN. SPRAGUE moved AMENDMENT TO HB 19.

Discussion: This is conceptual amendment, which says the bill will be applicable upon passage and approval.

Vote: Motion carried unanimously.

MINUTES

**MONTANA SENATE
57th LEGISLATURE - REGULAR SESSION
COMMITTEE ON BUSINESS AND LABOR**

Call to Order: By **CHAIRMAN MIKE TAYLOR**, on February 6, 2001 at
8:00 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Mike Taylor, Chairman (R)
Sen. Mike Sprague, Vice Chairman (R)
Sen. Dale Berry (R)
Sen. Edward Butcher (R)
Sen. Vicki Cocchiarella (D)
Sen. Sam Kitzenberg (R)
Sen. Dale Mahlum (R)
Sen. Glenn Roush (D)
Sen. Don Ryan (D)

Members Excused: None.

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Kyanne Kelly, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 292, 2/3/2001; HB 235,
2/3/2001; HB 220, 2/3/2001
Executive Action: HB 235; HB 155; SB 80; SB 141;
HB 220; SB 299

Opponents' Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

{Tape : 1; Side : B; Approx. Time Counter : 3.6}

REPRESENTATIVE ROY BROWN, HD 14, BILLINGS, closed without comment.

EXECUTIVE ACTION ON HB 235

Motion/Vote: SEN. MAHLUM moved that HB 235 BE CONCURRED IN.
Motion carried unanimously.

EXECUTIVE ACTION ON HB 155

Motion/Vote: SEN. SPRAGUE moved that HB 155 BE CONCURRED IN.
Motion carried unanimously.

EXECUTIVE ACTION ON SB 80

Motion/Vote: SEN. MAHLUM moved that SB 80 DO PASS. Motion carried unanimously.

EXECUTIVE ACTION ON SB 141

Motion: SEN. COCCHIARELLA moved AMENDMENT TO SB 141.
EXHIBIT(bus30a03)

Discussion: SENATOR MAHLUM said he thinks this a good bill for small business. CHAIRMAN TAYLOR said you have to let the person know when you put something in their file. Unintended consequences could come from this bill. SENATOR BERRY said it should be made clear that it is the person whose file it is that is able to look at the file. SENATOR SPRAGUE said the files need to be kept up to date, not just a collection file. SENATOR COCCHIARELLA thinks this clearly says it is the employee who gets to see the file. Bart Campbell suggested a conceptual amendment.